

Society for Animal Protective Legislation

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Department of Health and Human Services
Food and Drug Administration
Division of Dockets Management
5630 Fishers Lane, rm. 1061
Rockville, MD 20852

Docket No. 2004N-0081
RIN number RIN-0910-AF47

To Whom It May Concern:

The Society for Animal Protective Legislation commends the US Food and Drug Administration (FDA) for its interim final rule which prohibits the use of certain cattle material in human food, including dietary supplements and cosmetics, in an effort to address the potential risk of bovine spongiform encephalopathy (BSE) to humans. However, animals under 30 months can develop BSE. Therefore, we strongly urge the FDA to be proactive and also prohibit the brain, skull, eyes, trigeminal ganglia, spinal cord, vertebral column, and dorsal root ganglia of these younger animals in addition to cattle 30 months and older.

Though the prohibition includes all material from nonambulatory ("downer") cows, in the interest of animal welfare and human health, we respectfully request that FDA prohibit material from all nonambulatory animals, including pigs and sheep. Downed animals, regardless of species, are frequently nonambulatory because they are diseased. It is both inhumane and dangerous to use these animals. The handling of downed animals is notorious for its cruelty, and this needless suffering can be prevented if their parts are banned from human food, including dietary supplements and cosmetics. In addition, sick animals are potential carriers of diseases transmissible to humans. Only after BSE was detected, in the US, and consumers put at risk did the US government ban products from downed animals. Considering the reckless past experience it is prudent for the government to now ban products from all downed animals to reduce the transmission of potentially dangerous, even deadly, diseases to humans.

Furthermore, the Society strongly supports FDA's proposed requirement that manufacturers and processors of human food and cosmetics that are manufactured from, processed with, or otherwise contain material from cattle establish and maintain records sufficient to demonstrate that the food and cosmetics are in compliance with this rule.

Thank you for your consideration.

2004N-0081

Sincerely,


Cathy Liss
Legislative Director

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